

CHAD 2020 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Chad is a centralized republic in which the executive branch dominates the legislature and judiciary. In 2016 President Idriss Deby Itno, leader of the Patriotic Salvation Movement, was elected to a fifth term in an election that was neither free nor fair. During the 2011 legislative elections, the ruling Patriotic Salvation Movement won 118 of the National Assembly's 188 seats. International observers deemed the elections legitimate and credible. Subsequent legislative elections have been repeatedly postponed for lack of financing or planning.

The National Army of Chad, National Gendarmerie, Chadian National Police, Chadian National Nomadic Guard, and National Security Agency are responsible for internal security. A specialized gendarmerie unit, the Detachment for the Protection of Humanitarian Workers and Refugees, is responsible for security in refugee camps for both refugees and humanitarian workers. The National Army of Chad reports to the Ministry delegated to the Presidency in Charge of Armed Forces, Veterans, and War Victims. The national police, Chadian National Nomadic Guard, and Detachment for the Protection of Humanitarian Workers and Refugees report to the Ministry of Public Security and Immigration. The National Security Agency reports directly to the president. Civilian authorities at times did not maintain effective control of the security forces, and security force members committed some abuses.

Significant human rights issues included: unlawful or arbitrary killings, including extrajudicial killings by government or on behalf of government; torture and cases of cruel, inhuman, or degrading treatment or punishment by government or on behalf of government; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious restrictions on free expression, the press, and the internet, including unjustified arrests or prosecutions against journalists, censorship, site blocking, and the existence of criminal libel laws; substantial interference with the freedom of peaceful assembly; serious restrictions on freedom of movement; inability of

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citizens to change their government peacefully through free and fair elections; restrictions on political participation where elections have not been found to be genuine, free, or fair; serious acts of corruption; lack of investigation of and accountability for violence against women; trafficking in persons; crimes involving violence or threats of violence targeting members of ethnic minority groups; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, or intersex persons; and existence of laws criminalizing consensual same-sex sexual conduct between adults.

There were reports that authorities took steps to prosecute or punish officials who committed abuses, whether in the security services or elsewhere in the government, but impunity remained a problem.

Members of Boko Haram, the Nigerian militant terrorist group, killed numerous civilians and military personnel in attacks in the country, often using suicide bombers.

Section 1. Respect for the Integrity of the Person, Including Freedom from

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were reports the government or its agents committed arbitrary and unlawful killings. Human rights groups credibly accused security forces of killing and torturing with impunity. The Ministry of Justice and the National Commission on Human Rights investigate allegations of security force killings.

In March, 44 suspected Boko Haram prisoners died in a gendarmerie prison cell. The National Commission on Human Rights assessed they died from heat, overcrowding, and lack of adequate food and water (see section 1.c., Prison Conditions).

In May 2019 Yaya Awad, arrested for allegedly stealing a motorcycle, died in custody at the seventh police district of N'Djamena after police fatally beat and

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otherwise injured him during interrogation. In July authorities sentenced three police officers involved in the incident to five years in prison and fines.

On March 23, Boko Haram militants killed 92 soldiers in an attack in Boma, Lake Chad Province.

Interethnic violence resulted in deaths (see section 6, Discrimination).

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the constitution prohibits such practices, there was anecdotal evidence the government continued to employ them.

In response to the March Boko Haram attack that killed 92 soldiers, the government launched the Wrath of Boma military operation. Two reputable nongovernmental organizations (NGOs) investigated and reported alleged abuses by security forces during the operation.

Impunity was a significant problem in the security forces due to corruption and poor discipline. Offices that investigated abuses included the Ministry of Justice and the National Commission on Human Rights. Authorities offered training in human rights to its security forces through international partners, such as the United Nations and individual countries.

Prison and Detention Center Conditions

Conditions in the country's 41 prisons remained harsh and potentially life threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care.

Physical Conditions: Prison overcrowding remained a serious problem. Despite the near doubling of the prison population, no new facilities had been constructed since 2012. Authorities did not separate juveniles from adult male prisoners and

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sometimes held children with their inmate mothers. Authorities held pretrial detainees with convicted prisoners and did not always separate male and female prisoners. Regional prisons were crumbling, overcrowded, and without adequate protection for women and youth. Prison guards, who were not regularly paid, sometimes released prisoners if bribed.

No estimate of deaths in prisons or detention centers was available. In March the government transferred 58 suspected Boko Haram fighters to a Gendarmerie prison in N'Djamena for processing and investigation of their cases. On April 16, 44 were found dead in their cell. Two reputable NGOs released investigative reports that attributed the deaths to poor prison conditions. On August 7, the National Commission on Human Rights (CNDH) concluded the 44 prisoners died due to overcrowding in a cell designed for 20 individuals, the oppressive heat of the dry season, and lack of adequate food and water.

Local NGOs reported potable water, sanitation, and health care were inadequate. Provisions for heating, ventilation, and lighting were inadequate or nonexistent. Inmates were vulnerable to diseases such as HIV, tuberculosis, COVID-19, and malaria. The law stipulates a doctor must visit each prison three times a week, but authorities did not comply. The few prisons that had doctors lacked medical supplies. Prison authorities provided insufficient food to inmates. Family members of detainees frequently provided them with food, soap, medicine, and other supplies. NGOs reported government officials forced prisoners to work on their private enterprises as a source of free labor. On September 15, the National Assembly questioned Minister of Justice Djimet Arabi on allegations of poor living conditions in detention centers.

Unlike in previous years, there were no reports of prison riots.

Administration: Authorities did not investigate credible allegations of mistreatment. There was no mechanism for prisoners to submit complaints. There were no data available on prisoner access to the requirements of religious observance or practice.

Independent Monitoring: The government permitted the International Committee of the Red Cross (ICRC) to visit prisons, and the ICRC conducted such

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visits. At the maximum-security Koro-Toro Prison, where few families visited due to its distance from N'Djamena, the minister of justice stated in September that the ICRC had a permanent authorization to visit. On November 6, representatives of the Chadian Convention for the Defense of Human Rights (CTDDH) announced the existence of a dozen “secret prisons” of the National Security Agency (ANS). Abbas Alhassan, a CTDDH spokesperson, described “inhuman and cruel” conditions, as did two previous detainees whom Radio France Internationale interviewed. The Ministry of Justice stated there were two ANS-operated prisons, they were not secret, they were monitored by the ministry and ICRC, and their operation was justified on security grounds. In December the CNDH visited ANS detention facilities and assessed prison conditions were adequate.

Improvements: In accordance with a presidential pardon, in August authorities released 538 detainees, including General Mahamat Abdoukader Oumar, aka Baba Ladehe, a former rebel convicted in 2018 of murder, rebellion, criminal conspiracy, illegal possession of weapons, and armed robbery.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but the government did not always observe these prohibitions. The law does not provide for the right of persons to challenge the lawfulness of their arrest or detention in court, or to obtain prompt release and compensation if found to have been unlawfully detained. In its *Freedom in the World 2019* report, Freedom House stated security forces “routinely ignore constitutional protections” regarding detention. There were reports officials held detainees in police cells or in secret detention facilities.

Arrest Procedures and Treatment of Detainees

Although the law requires a judge to sign and issue arrest warrants before arrests may take place, this did not always occur. By law detainees must be charged within 48 hours or released, unless the *procureur* (investigating magistrate) authorizes an extension of detention for investigative purposes. Nevertheless, authorities often did not make judicial determinations promptly. The law allows for bail and access to counsel, but there were cases in which authorities provided

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neither. In some cases authorities denied detainees visits from doctors. While the law provides for legal counsel for indigent defendants and prompt access to family members, this rarely occurred, according to legal observers. Authorities occasionally held detainees incommunicado.

Arbitrary Arrest: According to local media, security forces arbitrarily arrested journalists, demonstrators, critics of the government, and other individuals.

On February 11, Amnesty International reported the “incommunicado” detention by the National Security Agency of Baradine Berdei Targuio, president of the Chadian Organization for Human Rights. Media reported that two days prior to his arrest, Targuio made Facebook posts regarding the health of the president.

Pretrial Detention: Lengthy pretrial detention remained a problem, despite government efforts to address it. According to justice activists, in 2018 at least 20 to 25 percent of inmates were in long-term pretrial detention. According to a Ministry of Justice official, authorities sometimes held pretrial detainees without charge for years, particularly for felonies allegedly committed in the provinces, because the court system only had the capacity to try criminal cases in the capital. The length of detention sometimes equaled or exceeded the possible sentence for the alleged crime. Lengthy pretrial detention was exacerbated by an overworked judiciary susceptible to corruption.

Unlike in previous years, there was no reported release of Boko Haram fighters.

e. Denial of Fair Public Trial

Although the constitution and law provide for an independent judiciary, the judiciary was overburdened, corrupt, and subject to executive interference. According to representatives of the bar association, members of the judiciary were not always impartial in civil matters, sometimes received death threats or were demoted for not acquiescing to pressure from officials, or were otherwise coerced into manipulating decisions. Government personnel, particularly members of the military, often were able to avoid prosecution. Courts were generally weak and in some areas nonexistent. Judicial authorities did not always respect court orders. Local media and civil society organizations reported members of the Judicial Police of Chad, an office within the Ministry of Justice with arrest authority, did

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not always enforce domestic court orders against military personnel or members of their own ethnic groups.

A judicial oversight commission has the power to investigate judicial decisions and address suspected injustices. The president appointed its members, increasing executive control of the judiciary.

The constitution provides for a military court system composed of the Military Court and the High Military Court, which acts as an appellate court.

Trial Procedures

The law provides for a presumption of innocence, and for fair, timely, and public trials. Defendants have the right to be informed promptly and in detail of the charges against them and to be provided free interpretation. According to local media, however, these rights were seldom respected. Only criminal trials used juries but not in politically sensitive cases. While defendants have the right to consult an attorney in a timely manner, this did not always occur. By law indigent persons have the right to legal counsel at public expense in all cases, although according to legal experts this seldom occurred. Human rights groups sometimes provided free counsel to indigent clients. Defendants have the right to adequate time and facilities to prepare a defense and to be present at their trial. Defendants and their attorneys have the right to question witnesses and present witnesses and evidence. Defendants have the right not to be compelled to testify or confess guilt, but the government did not always respect this right, according to lawyers. Defendants have the right to appeal court decisions.

The constitution recognizes local customary law in places where it is long established, provided it does not interfere with public order or constitutional provisions for equality of citizens. Courts tended to blend the French language legal code with traditional practices. Local customs often supersede the law. Residents of rural areas and refugee and internally displaced persons (IDPs) camps often lacked access to formal judicial institutions, and legal reference texts were unavailable outside the capital or in Arabic. In minor civil cases, the population often relied on traditional courts presided over by village chiefs, canton chiefs, or sultans. Penalties in traditional courts sometimes depended on the clan affiliations

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of the victim and perpetrator. Decisions of traditional courts may be appealed to a formal court.

In some areas growing Islamic legal tradition influenced local practice and sometimes influenced legal interpretation. For example, local leaders may apply the Islamic concept of *diya*, which involves a payment to the family of a crime victim by the perpetrator or the perpetrator's family. The practice was common in Muslim areas. Non-Muslim groups challenged the practice, asserting it was unconstitutional. In October 2019 the government issued an interministerial order regulating the practice of diya, with the criminal code taking precedence in any conflict with diya practices.

Political Prisoners and Detainees

According to the NGO Citizen Action for the Integral Application of Amnesty in Chad, in 2018 there were at least 72 political detainees. Media suggested the September 4 arrest of former oil minister Djerassem Le Bemadjel was politically motivated because of his ties to an opposition party (see section 4, Corruption). Human rights organizations were not allowed access to these detainees.

Civil Judicial Procedures and Remedies

Lawsuits for human rights abuses may be brought before a criminal court, but compensation is addressed by a civil court. Administrative and judicial remedies, such as mediation, are available.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

Although the constitution provides for the right to privacy and inviolability of the home, the government did not always respect these rights. It was common practice for authorities to enter homes without judicial authorization and seize private property without due process. Security forces routinely stopped citizens to extort money or confiscate goods.

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In October security forces encircled the homes of opposition party members seeking to participate in a constitutional forum (see section 2.b., Freedom of Peaceful Assembly).

A government decree prohibits possession and use of satellite telephones.

Section 2. Respect for Civil Liberties, Including

a. Freedom of Expression, Including for the Press

The constitution provides for freedom of opinion, expression, and press, but the government severely restricted these rights, according to Freedom House. Authorities used threats and prosecutions to curb critical reporting.

Freedom of Speech: The law prohibits “inciting racial, ethnic, or religious hatred,” which is punishable by up to two years in prison and fines.

Freedom of Press and Media, Including Online Media: Independent media were active and attempted to express a variety of views; however, authorities placed severe restrictions on them. The government subsidized *Le Progres*--the only daily newspaper--and owned the biweekly newspaper *L’Info*. Government and opposition newspapers had limited readership outside the capital due to low literacy rates and lack of distribution in rural areas.

Radio remained a critical source of information throughout the country. The government owned Chadian National Radio. Private stations faced high licensing fees. The number of community radio stations that operated outside of government control continued to grow, and radio call-in programs broadcast views of callers that included criticism of the government.

Violence and Harassment: Authorities reportedly harassed, threatened, arrested, and assaulted journalists for defamation. Local media reported that journalists faced regular arrest after publication, with most released fairly quickly, others held in detention for weeks or months, and some severely mistreated, particularly when articles discussed impunity or criticized the president and his associates. Human rights defenders and journalists were also threatened, harassed, and intimidated by anonymous individuals.

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On November 27, security forces broke up an interview with “citizen forum” organizers at the headquarters of radio station FM Liberte. Police used tear gas and detained approximately 70 attendees of an unrelated journalism training class for several hours. On December 1, independent radio stations organized a protest “day without radio.”

In September 2019 a court convicted Inoua Martin Doulguet, editor in chief of the newspaper *Salam Info*, of “criminal conspiracy, complicity, defamation, and insult” for an article concerning an alleged sexual assault by a former minister. On May 5, an appeals court acquitted him for procedural and substantive errors by the lower court.

Censorship or Content Restrictions: The government penalized those who published items counter to government guidelines, sometimes by closing media outlets. According to Freedom House, private radio stations faced threat of closure for coverage critical of the government. Some journalists and publishers practiced self-censorship.

On June 8, the High Authority for Media and Broadcasting (HAMA) suspended newspaper *Abba Garde* for 12 months, alleging defamation, unprofessional conduct, false news, and ethical breaches. HAMA also banned its director Moussaye Avenir De la Tchire from working as a journalist for the same period. On June 9, the Convention of Private Press Entrepreneurs in Chad noted the HAMA suspension of *Abba Garde* and its director and stated there were no provisions under the law for a 12-month suspension for defamation or dissemination of false news, or the suspension of a journalist in the exercise of his profession for the same alleged offenses.

On August 27, the minister of communication, spokesperson for the government, visited the private television stations Electron TV and Alnassour TV and remarked private media remained privileged partners and must properly do their work of awareness raising, education, and entertainment. Observers considered this a warning to private media to avoid sensitive topics.

On September 7, HAMA suspended 12 newspapers for three months pursuant to the law requiring newspaper publishers and managing editors to possess a

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postgraduate degree in journalism. According to Reporters without Borders, the HAMA decision suspended approximately one-quarter of the country's privately owned print media outlets.

Libel/Slander Laws: Libel and slander are misdemeanors punishable by fines. Authorities arrested and detained persons for defamation.

Internet Freedom

The government restricted and disrupted access to the internet and directly censored online content, such as Facebook. There was widespread speculation the government monitored private online communications, blocked sites, and arrested activists for postings on social media.

In July the government banned social media throughout the country and cut internet access outside N'Djamena. This followed an incident the same month at the *Champ de Fil* market, where a member of the presidential guard allegedly killed a motorcycle mechanic and was subsequently rescued from an angry crowd after receiving a severe beating. The incident sparked critical commentary on social media, including calls for ethnic violence. On August 8, the president stated the government disrupted social media to prevent interethnic violence; he did not explain the restrictions to internet access. On October 2, authorities ended these restrictions. Throughout this period social media users in N'Djamena could access apps such as Facebook and WhatsApp with the use of a virtual private network.

Academic Freedom and Cultural Events

There were government restrictions on academic freedom. The government banned large gatherings--including cultural events--due to COVID-19 restrictions.

b. Freedoms of Peaceful Assembly and Association

The government limited freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

Although the constitution provides for freedom of peaceful assembly in limited circumstances, the government did not respect this right. The government

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regularly interfered with opposition protests and civil society gatherings. Authorities routinely banned gatherings and arrested organizers, and security forces used excessive force against demonstrators.

The law requires organizers to notify the Ministry of Public Security and Immigration five days in advance of demonstrations, although groups that provided advance notice did not always receive permission to assemble. The law also requires opposition political parties to meet complicated registration requirements for party gatherings.

Unlike in previous years, in January police peacefully escorted student protests for better conditions in university campuses.

Following the outbreak of the COVID-19 pandemic in March, the government banned meetings of more than 50 persons but selectively applied these restrictions to stifle political opposition.

As the number of confirmed COVID-19 cases dropped in June, the government eased restrictions on communal prayer but requested worshippers respect social distancing and use face coverings.

In October the government held a 600-person national forum to solicit and debate potential constitutional changes. Security forces encircled the headquarters of several opposition parties and civil society organizations and the homes of some opposition politicians during the forum to intimidate those who either boycotted or were not invited to the forum.

In November authorities banned an alternative “citizens’ forum,” citing COVID-19 restrictions limiting mass gatherings. In November and December, authorities banned efforts by opposition parties to hold assemblies or marches, also citing COVID-19 restrictions.

Freedom of Association

The constitution and law provide for freedom of association, and the government generally respected this right. While the law requires the Ministry of Public Security and Immigration to provide prior authorization before an association,

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including a labor union, may be formed, there were no reports the law was enforced. The law also allows for the immediate administrative dissolution of an association and permits authorities to monitor association funds. In late 2018 authorities modified the regulation on NGOs to exert greater control over development and humanitarian activities, requiring NGOs to contribute 1 percent of their budget to the “functioning of the structures of the Ministry of Planning.”

Authorities denied recognition to some opposition political groups (see section 3, Political Parties and Political Participation)

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

Although the constitution and law provide for freedom of movement, foreign travel, emigration, and repatriation, the government limited these rights.

In-country Movement: Lack of security in the east, primarily due to armed banditry, occasionally hindered the ability of humanitarian organizations to provide services to refugees. In Lake Chad Province, attacks by Boko Haram and simultaneous government military operations constrained the ability of humanitarian organizations to aid IDPs.

e. Status and Treatment of Internally Displaced Persons

According to the International Organization for Migration, in August more than 360,000 persons were displaced in Lake Chad Province, more than one-half of the province’s population. Amid the COVID-19 pandemic, combined with an environmental crisis, the security situation continued to deteriorate, exacerbating humanitarian needs.

f. Protection of Refugees

The government cooperated with Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection

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and assistance to IDPs, refugees, and other persons of concern. The country hosted refugees and asylum seekers mainly from Sudan, the Central African Republic (CAR), and Nigeria, as well as IDPs, citizen returnees from CAR, and citizen returnees from the Lake Chad basin.

Abuse of Migrants, Refugees, and Stateless Persons: International observers reported numerous protection incidents in the Lake Chad area in February. According to international observers, these incidents included physical attacks, kidnappings, and homicides. Armed groups were suspected of a majority of the incidents, especially for cases of kidnapping and homicide.

Authorities rarely prosecuted perpetrators of sexual violence. The judicial system did not provide consistent and predictable recourse or legal protection. To overcome these problems, UNHCR enlisted a local NGO to support refugees through the judicial process. The Detachment for the Protection of Humanitarian Workers and Refugees was unable to provide humanitarian escorts consistently but was generally effective in providing protection inside refugee camps.

Access to Asylum: The law does not provide for asylum or refugee status. The government, however, has established a system for the protection of refugees. In cooperation with UNHCR, the government continued a project to strengthen the civil registration system for the issuance of civil status certificates (birth, marriage, and death certificates) to tens of thousands of refugees born before 2013.

Access to Basic Services: Although local communities hosted tens of thousands of newly arrived refugees, antirefugee sentiment existed due to competition for local resources, such as wood, water, and grazing land. Refugees also received goods and services not available to the local population, and refugee children at times had better access to education and health services than those in the surrounding local populations. Many humanitarian organizations included host communities in their programming to mitigate this tension.

Durable Solutions: Authorities continued to resettle refugees, although fewer than in previous years. As durable solutions became more difficult to achieve, UNHCR explored helping refugees secure protection by receiving admission to third countries.

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Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens with the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage, but the government limited this right. The executive branch dominated the other branches of government.

Elections and Political Participation

Recent Elections: In the 2016 presidential election, President Deby won a fifth term with 59.92 percent of the vote; Saleh Kebzabo placed second with 12.8 percent. While the election was orderly and had a high voter turnout, it was neither free nor fair, and there were numerous irregularities. According to the African Union, staff at polling stations were not adequately trained, 81 percent of ballot boxes observed had not been checked to see if they were empty at the start of polling, and 10 percent of polling stations did not provide secrecy in voting. Runner-up Kebzabo refused to accept the outcome of the vote, stating it was an “electoral stickup.” Other opposition politicians cited alleged ballot stuffing and the disappearance of ballot boxes.

During the 2011 legislative elections, the ruling Patriotic Salvation Movement (MPS) won 118 of the National Assembly’s 188 seats. International observers deemed the election legitimate and credible.

The COVID-19 pandemic negatively affected progress on voter registration and preparations for future elections. Every year the May to September rainy season disrupts travel and complicates electoral processes.

Political Parties and Political Participation: There were 138 registered political parties, of which more than 100 were associated with the dominant MPS party. Changes to the law in 2018 complicated and increased the cost of party registration, outreach, and participation procedures that opposition leaders attributed to the government’s attempt to limit dissent. Authorities continued to refuse registration to some political parties, including Les Transformateurs, on murky administrative grounds.

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Participation of Women and Members of Minority Groups: No laws limit the participation of women or members of minority groups in the political process. The law decrees leadership of all political parties must include at least 30 percent women. Women's political participation, however, was limited by many factors, including lack of access to campaign funds and cultural norms that discourage activism. The law establishes the principle of parity in nominations and elective offices with a requirement of 30 percent women at a minimum, increasing progressively toward equal representation of men and women.

Ethnicity influenced government appointments and political alliances. Political parties and groups generally had readily identifiable regional or ethnic bases. Northerners, particularly members of the president's Zaghawa ethnic group, were overrepresented in key institutions, including the military officer corps, elite military units, and the presidential staff.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but authorities did not implement the law effectively, and corruption was pervasive at all levels of government.

According to Freedom House's *Freedom in The World 2020* report, corruption, bribery, and nepotism "are endemic" and prominent journalists, labor leaders, and religious figures faced harsh reprisals for speaking out, including arrest, prosecution, and exile. According to Freedom House, prosecutions of high-level officials were widely viewed as selective efforts to discredit those who posed a threat to the president or his allies.

Corruption: There were reports of selective investigation of government officials.

Corruption was most pervasive in government procurement, the awarding of licenses or concessions, dispute settlement, regulation enforcement, customs, and taxation. Judicial corruption was a problem and hindered effective law enforcement. Security forces arbitrarily arrested travelers on pretexts of minor traffic violations to generate bribes.

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On September 4, authorities jailed former oil minister Djerassem Le Bemadjel, charging him with numerous offenses including embezzling public funds, illicit use of state property, and corruption. Local media suggested his arrest and detention was politically motivated because of his alleged link with the Les Transformateurs political party. Social media users demanded other former ministers with serious allegations against them of embezzlement and illicit enrichment also be investigated.

Financial Disclosure: Public officials are subject to financial disclosure laws, but the laws do not specify sanctions for noncompliance, and declarations were not made available to the public.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Several domestic and international human rights groups operated in the country, investigating and publishing their findings on human rights cases. Government officials were sometimes cooperative and responsive to their views.

In August a court approved a request by a former member of the CTDDH to suspend Mahamat Nour Ibedou from his position as head of the organization. In December a new CTDDH general assembly was installed despite protests by sitting members of procedural violations. Observers believed the former member lacked standing to bring the legal action, the new general assembly lacked legitimacy, and authorities supported these actions to lessen the stature and capability of the CTDDH to investigate human rights problems.

Government Human Rights Bodies: The Ministry of Justice and Human Rights coordinated efforts by local and international NGOs to protect human rights. Local NGOs reported the ministry functioned independently but was of limited effectiveness.

In February the CNDH became operational. The commission's mandate is to advise the government on human rights, conduct investigations, assess prison conditions, verify adequate protection against abuse and torture of prisoners, and

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provide recommendations to the government following investigations. Observers consider the CNDH to be substantially independent of the government and relatively effective.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape is punishable by eight to 30 years in prison. Nevertheless, rape--including rape of female refugees--was a problem. The law does not specifically address spousal rape, gender of victims, or domestic violence. Police often detained alleged perpetrators, but rape cases were rarely tried. Authorities fined and released most rape suspects, according to local media. Communities sometimes compelled rape victims to marry their attackers.

Although the law prohibits violence against women, domestic violence was widespread. Police rarely intervened, and women had limited legal recourse.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C for girls and women, but the practice remained widespread, particularly in rural areas. According to UNICEF, 38 percent of girls and women ages 15 to 49 underwent FGM.

By law FGM/C may be prosecuted as a form of assault, and charges may be brought against the parents of victims, medical practitioners, or others involved. Nevertheless, lack of specific penalties hindered prosecution, and authorities prosecuted no cases. NGOs cited enduring local social norms and limited federal authority in rural areas as major impediments to progress.

The Roman Catholic Church and the CNDH alerted authorities in August of the resurgence of the practice of FGM/C, attributed to lack of enforcement of the law. The Ministry of Women and Early Childhood Protection is responsible for coordinating activities to combat FGM/C.

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Sexual Harassment: The law provides penalties for sexual harassment ranging from six months to three years in prison and fines. The government did not enforce the law effectively.

Reproductive Rights: The law provides for the right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children, to manage their reproductive health, and to have access to the information and means to do so, free from discrimination, coercion, or violence. Many persons, however, lacked access to reproductive information or care, particularly in rural areas.

Obstacles to contraception use included the lack of education, the limited supply of contraceptive products, and cultural sensitivities. The government provided some contraception products for free to the public through NGOs. The UN Population Fund (UNFPA) estimated only 24 percent of live births were attended by skilled health personnel between 2014 and 2019. The country had a severe shortage of health-care providers and a significant shortage of nurses, midwives, hospital staff, and specialists, such as obstetricians. Prenatal care remained limited, particularly in rural areas. The government provided limited access to sexual and reproductive health services for survivors of sexual violence due to capacity constraints. In practice, not all survivors of sexual violence received health services.

The UNFPA estimated that in 2017 the maternal mortality rate was 1,140 deaths per 100,000 live births. Factors contributing to maternal mortality included adolescent pregnancies, multiple closely spaced births, and lack of access to medical care.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Discrimination: Although property and inheritance laws provide the same legal status and rights for women as for men, the government did not enforce the laws effectively. Family law discriminates against women, and discrimination against and exploitation of women were widespread. Local leaders settled most inheritance disputes in favor of men, according to traditional practice. There were legal restrictions to women's employment in occupations deemed dangerous, including mining, construction, and factories.

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Children

Birth Registration: Citizenship is derived from birth within the country's territory or from at least one parent. The government did not register all births immediately and also denied registration on a discriminatory basis.

Education: Although primary education is tuition free, universal, and compulsory between ages six and 16, parents were required to pay for textbooks, except in some rural areas. Parents often were required to pay tuition for public secondary education. According to a UNESCO Institute for Statistics 2019 report, 65 percent of girls attended primary school compared with 83 percent of boys.

Human rights organizations cited the problem of the *mouhadjirin*, migrant children who attended certain Islamic schools and whose teachers forced them to beg for food and money. There was no reliable estimate of the number of mouhadjirin.

Child, Early, and Forced Marriage: The law sets the minimum age for marriage at 18 for men and women. The law precludes invoking the consent of the minor spouse to justify child marriage and prescribes sentences of five to 10 years' imprisonment and fines for persons convicted of perpetrating child marriage, although the practice was widespread.

According to UNICEF, 67 percent of girls were married before age 18.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of children, with punishments of two to five years' imprisonment and fines. The law specifically addresses the sale, offering, or procuring of children for prostitution. The law prohibits sexual relations with children younger than age 14, even if married, but authorities rarely enforced the ban. The law criminalizes the use, procuring, or offering of a child for the production of pornography, but no cases of child pornography were reported. The country was a destination for some child trafficking in the country, and refugee children from CAR were particularly vulnerable to commercial sexual exploitation.

Medical professionals in N'Djamena reported a sixfold upsurge in sexual assault on underage girls toward the end of the rainy season, attributed to rising insecurity.

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International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

There was no known Jewish community, and there were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, although it does not specify the types of disability. The government did not effectively enforce the law, according to the Chadian Disability Organization. There are no laws that provide for access to public buildings for persons with disabilities, or other forms of access such as education, health services, the judicial system, or other state services. The government operated education, employment, and therapy programs for persons with disabilities. There were no reports of violence or other abuses against persons with disabilities.

Children with physical disabilities may attend primary, secondary, and higher education institutions. The government supported schools for children with vision or mental disabilities, but they were inadequate.

Members of National/Racial/Ethnic Minority Groups

There were approximately 200 ethnic groups speaking more than 120 languages and dialects.

Conflict between herders and farmers resulted in dozens of deaths and injuries, particularly during November and December. Authorities called for peaceful

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cohabitation and traveled to provinces in central areas of the country worst hit by violence to mediate and encourage dialogue. On December 24, the government created a disarmament commission to confiscate firearms, which are illegal for private citizens to possess. NGOs stated this conflict persisted due to growing human and cattle populations, competition over scarce resources, and judicial impunity for perpetrators of violence with political or economic connections to authorities.

The government restricted social media and internet access between July and October, citing fears of interethnic violence following a violent incident at the Champ de Fil market (see section 2.a., Internet Freedom).

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

The law criminalizes consensual same-sex sexual conduct between adults, with punishments ranging from three months' to two years' imprisonment and fines. The government did not actively enforce this law, although there were reports of police harassment.

The law does not prohibit discrimination against lesbian, gay, bisexual, transgender, or intersex (LGBTI) persons in housing, employment, nationality laws, and access to government services.

In a media interview in November, the president stated same-sex marriage “is a negative value” and unacceptable in Africa.

HIV and AIDS Social Stigma

The law provides individuals with HIV or AIDS the same rights as other persons and requires the government to provide information, education, and access to tests and treatment for HIV or AIDS, but authorities rarely complied with the law. According to the Chadian Women Lawyers' Association, women sometimes were accused of passing HIV to their husbands and were threatened by family members with judicial action or banishment.

Other Societal Violence or Discrimination

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The CNDH and local media reported cases of COVID-19 victim stigmatization, particularly in the initial months after the outbreak of the pandemic.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of all workers, except members of the armed forces, to form and join independent unions of their choice. All unions must be authorized by the Ministry of Public Security and Immigration, which may order the dissolution of a union that does not comply with the law as determined by the ministry. The law provides for the right of workers to organize and bargain collectively. While there are no restrictions on collective bargaining, the law authorizes the government to intervene under certain circumstances. The law recognizes the right to strike but restricts the right of civil servants and employees of state enterprises to do so. The law requires a 72-hour notification before a strike. By law civil servants and employees of state enterprises must complete a mediation process before initiating a strike, but there is no specified timeline for this process. Civil servants who engage in strikes or resign in protest may be subjected to imprisonment and forced labor. Employees of several public entities classified as essential services, including postal workers, abattoir employees, and nine more categories, must continue to provide a certain level of services and may be “requisitioned” at the government’s discretion during a strike. The law permits imprisonment with hard labor for participation in an illegal strike. The law prohibits antiunion discrimination and explicitly covers all workers, including foreign and irregular workers. The law requires reinstatement of workers fired for union activity. Union members reported these protections were not always respected.

The government effectively protected freedom of association and collective bargaining, although both were subject to delays, primarily due to administrative difficulties in convening key officials for negotiations. Penalties were commensurate with those for comparable offenses.

There were no reports of restrictions on collective bargaining or punishment of workers for participating in illegal strikes. More than 90 percent of employees in

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the formal sector belonged to unions. In the informal sector, which employs the vast majority of workers, most workers were self-employed and nonunionized, working as farmers or herders. State-owned enterprises dominated many sectors of the formal economy, and the government remained the largest employer. Unions were officially independent of both the government and political parties, although some unions were unofficially linked through members' affiliation with political parties.

Strikes that occurred were not accompanied by demonstrations, due to the Ministry of Interior and Public Security 2016 ban on demonstrations, a ruling that was under court challenge.

b. Prohibition of Forced or Compulsory Labor

The law criminalizes labor trafficking offenses, including forced labor. The Ministry of Justice's *Action Plan for 2019 Ordinance on Trafficking in Persons* focuses on training members of the courts, local authorities, traditional and religious leaders, members of civil society, and members of enforcement agencies.

The penal code criminalizes "involuntary labor" or servitude using force, fraud, or coercion, although observers noted there are gaps in the law. These penalties were commensurate with those for comparable crimes. The government engaged in forced prison labor and may legally compel political prisoners to engage in forced labor. Prison officials subjected prisoners to forced labor on private projects, separate from the penalties provided for by the legal sentence imposed on the prisoners. Human rights NGOs reported that the use of forced prison labor was common.

Government efforts to enforce the law were not consistently effective. The government did not conduct adequate inspections. There were no reports of prosecutions.

Forced labor, including forced child labor, occurred in the informal sector. Children and adults in rural areas were involved in forced agricultural labor, gold mining, charcoal production, and, in urban areas, forced domestic servitude.

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Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The labor code stipulates the minimum age for employment is 14. The law provides exceptions for light work in agriculture and domestic service at age 12. The minimum age for hazardous work is 18. The legal minimum age for employment, a lack of schooling opportunities in some areas, and tribal initiation practices contributed to a general acceptance of working children if they were 14 or older, some of whom might have engaged in hazardous work. The law allows for children age 16 or older to engage in certain forms of hazardous work. The prohibition on children doing hazardous work does not apply to children in the informal sector. The minimum age for military recruitment is 18, and the minimum age for conscription is 20. The law prohibits the use of child soldiers.

The Child Protection Brigade (CPB) of the National Police is responsible for enforcing criminal laws against child forced labor and trafficking, commercial sexual exploitation, the recruitment and use of child soldiers, and use of children in illicit activities. The CPB coordinated with the Ministry of Women, Childhood Protection, and National Solidarity, the Ministry of Public Service, Employment, and Social Dialogue, and the Ministry of Justice to enforce criminal laws against child labor and hosted detachments from all three organizations to facilitate collaboration. Child labor remained widespread, but authorities did not prosecute any cases, according to officials at the Ministry of Labor. Two cases of child trafficking were investigated. Labor laws apply to work only in formal enterprises; there are no legal protections for children working in the informal sector. Penalties for violating child labor laws were not commensurate with those for comparable crimes. The law does not impose penalties “if the breach was the result of an error as to a child’s age, if the error was not the employer’s fault.” Police sometimes took extrajudicial action, such as arresting and detaining persons without a court warrant, against child labor offenders. Traditional leaders also sometimes meted out traditional punishments, such as ostracism, according to local human rights organizations.

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While the government did not have a comprehensive plan to eliminate the worst forms of child labor, it worked with UNICEF and NGOs to increase public awareness of child labor. Efforts continued to educate parents and civil society on the dangers of child labor, particularly for child herders.

Child laborers were subjected to domestic servitude, forced begging, and forced labor in cattle herding, agriculture, fishing, and street vending. Local children were also found in forced cattle herding in Cameroon, the CAR, and Nigeria. Child herders often lived in substandard conditions without access to school or proper nutrition. Their parents and herders generally agreed on an informal contract for the child's labor that included a small monthly salary and a goat after six months or a cow at the end of a year. Local NGOs reported compensation often was not paid. According to the Chadian Women Lawyers' Association, girls sold or forced into child marriages were forced by their husbands into domestic servitude and agricultural labor.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect to Employment and Occupation

The law and labor regulations prohibit employment or wage discrimination based on race, color, religion, sex, age, national origin or citizenship, or membership in a union. There are no laws preventing employment discrimination based on disability, sexual orientation, gender identity, HIV-positive status, other communicable diseases, or social origin. There were legal restrictions on women's employment in occupations deemed hazardous, arduous, or "morally inappropriate" and in industries such as mining, construction, and factories. Women generally were not permitted to work at night, more than 12 hours a day, or in jobs that could present "moral or physical danger," which is not defined.

Workers may file discrimination complaints with the Office of the Labor Inspector, which investigates and subsequently may mediate between workers and employers. If mediation fails, the case is forwarded to the Labor Court for a public hearing. The government did not effectively enforce these laws and regulations. The penalties by the Labor Court for discrimination were not commensurate with those

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for comparable violations. Persons with disabilities frequently experienced employment discrimination. Although the law prohibits discrimination based on nationality, foreign citizens often had difficulty obtaining work permits, earned lower wages, and had poor working conditions. LGBTI persons and HIV-positive persons faced social and employment discrimination and generally did not reveal their sexual orientation.

e. Acceptable Conditions of Work

The minimum wage was greater than the World Bank poverty rate. The law limits most employment to 39 hours per week, with overtime paid for additional hours. Agricultural work is limited to 2,400 hours per year, an average of 46 hours per week. All workers are entitled to uninterrupted rest periods of between 24 and 48 hours per week and paid annual holidays.

The law mandates occupational health and safety (OSH) standards that are up to date and appropriate for main industries. Workers have the right to remove themselves from dangerous working conditions without jeopardy to their employment, but they generally did not do so. The law gives inspectors the authority to enforce the law and explicitly covers all workers, including foreign and informal workers.

The Office of the General Inspectorate of the Ministry of Labor has responsibility for the enforcement of the minimum wage, work hours, and occupational OSH standards. The government did not effectively enforce the law. The minimum wage was not effectively enforced, and many persons were paid less, especially in the informal sector. The Ministry of Public Works employed insufficient labor inspectors to enforce the law. Labor inspectors may refer cases to the Ministry of Justice and Human Rights for prosecution. The government did not provide adequate staffing or training, which, together with corruption impeded effective enforcement. Authorities did not always respect legal protections for foreign and irregular workers. Penalties were not commensurate with those for comparable violations.

Salary arrears remained a problem for some private-sector employees. Workers did not always avail themselves of their rights concerning workhour limits, largely

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because they preferred the additional pay. Pursuant to International Monetary Fund recommendations, the government paid some wage arrears to private-sector contractors.

Multinational companies generally met the government's acceptable OSH standards. The civil service and local private companies occasionally disregarded OSH and safety standards. Local private companies and public offices often had substandard conditions, including a lack of ventilation, fire protection, and OSH protection.